

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

WASHINGTON MUTUAL BANK,

Plaintiff,

v.

DAN W. ADAMS, HEIDI K. ADAMS,  
UNITED STATES OF AMERICA,  
COMMONWEALTH OF  
MASSACHUSETTS DEPARTMENT OF  
REVENUE, DELTA FUNDING  
CORPORATION and BENEFICIAL  
MASSACHUSETTS INC.,

Defendants.

CIVIL ACTION NO. 05-11686

**AFFIDAVIT OF SERVICE OF PROCESS**  
**PURSUANT TO FED. R.CIV. P. 4**

I, Mary Ellen Manganelli, state as follows:

1. I am an attorney at the law firm of Bulkley, Richardson and Gelinas, LLP, One Post Office Square, Suite 3700, Boston, Massachusetts, and one of the attorneys of record for the plaintiff, Washington Mutual Bank, in this action.

2. Service upon the defendant United States of America, Internal Revenue Service has been made in this action, in part, by certified mail addressed to:

a. D. Patrick Mullarkey, Chief Tax Division, P.O. Box 55 – Ben Franklin Station, Washington, D.C.; and

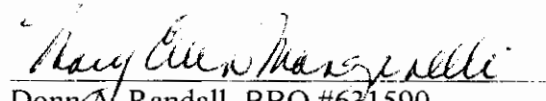
b. Alberto R. Gonzales, Attorney General, U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, D.C.

3. Said service was made by mailing a letter, via certified mail, a copy of which is attached as Exhibit A, together with copies of the Summons, the Complaint, Civil Action Cover Sheet, and Category Sheet. Attached hereto as Exhibits B are the original return receipts, showing the receipt of said documents.

4. The United States of America was also served with a summons at the U.S. Attorney's Office, 1 Courthouse Way, U.S. Courthouse, Suite 9200, Boston, Massachusetts and at Internal Revenue Service, 10 Causeway Street, Boston, Massachusetts on August 22, 2005 and August 24, 2005 respectively. Proof of service and the original summonses were filed with this court on or about September 2, 2005.

Signed under the penalties of perjury this 9<sup>th</sup> day of September 2005.

WASHINGTON MUTUAL BANK,  
By its Attorneys,

  
Donn A. Randall, BBO #631590  
J. Patrick Kennedy, BBO #565778  
Mary Ellen Manganelli, BBO #641658  
Bulkley, Richardson and Gelinas, LLP  
One Post Office Square, Suite 3700  
Boston, MA 02109  
(617) 368-2500



**BULKLEY, RICHARDSON AND GELINAS, LLP**

LAW OFFICES  
ONE POST OFFICE SQUARE  
SUITE 3700  
BOSTON, MA 02109

TEL: (617) 368-2500  
FAX: (617) 368-2525

MARY ELLEN MANGANELLI  
DIRECT DIAL (617) 368-2503  
MMANGANELLI@BULKLEY.COM

August 16, 2005

**VIA FIRST CLASS MAIL**

D. Patrick Mullarkey  
Chief Tax Division  
P.O. Box 55 – Ben Franklin Station  
Washington, DC 20044

RE: Washington Mutual Bank v. Dan W. Adams, et al  
United States District Court Docket No. 05-11686WGY

Dear Sir or Madam:

Please find enclosed summons and complaint relative to the above referenced matter.  
Kindly forward your acceptance of service to my attention at your earliest convenience.

Do not hesitate to contact me if you have any questions or concerns.

Very truly yours,

  
Mary Ellen Manganelli

MEM/jw  
Enclosures  
cc: J. Patrick Kennedy, Esq.

305873.1

# UNITED STATES DISTRICT COURT

District of \_\_\_\_\_  
Massachusetts

Washinton Mutual Bank,  
Plaintiff,

V.

Dan W. Adams, Heidi K. Adams,  
United States of America  
Commonwealth of Massachusetts  
Department of Revenue, Delta  
Funding Corporation and  
Beneficial Massachusetts, Inc.  
Defendants.

## SUMMONS IN A CIVIL ACTION

CASE NUMBER:

05 - 11686 WGY

TO: (Name and address of Defendant)

United States of America

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

J. Patrick Kennedy, Esq.  
Bulkley, Richardson and Gelinas, LLP  
One Post Office Square, Suite 3700  
Boston, MA 02109

an answer to the complaint which is served on you with this summons, within 60 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

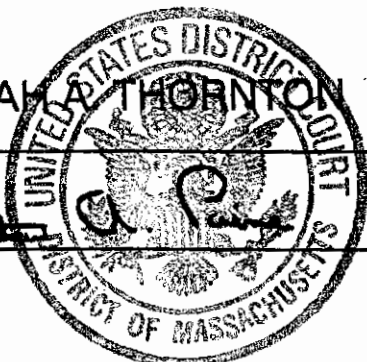
SARAH THORNTON

AUG 16 2005

CLERK

DATE

(By) DEPUTY CLERK



7000 1670 0002 0531 6882

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
1430	PS 5550197
0650	00.00 AUG 16 2000
751	02109
Postage FROM ZIP CODE	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To: Patrick Mullarky	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	
Washington D.C.	
PS Form 3800, May 2000	
See Reverse for instructions	



**BULKLEY, RICHARDSON AND GELINAS, LLP**

LAW OFFICES  
ONE POST OFFICE SQUARE  
SUITE 3700  
BOSTON, MA 02109

TEL: (617) 368-2500  
FAX: (617) 368-2525

MARY ELLEN MANGANELLI  
DIRECT DIAL (617) 368-2503  
MMANGANELLI@BULKLEY.COM

August 16, 2005

**VIA FIRST CLASS MAIL**

Alberto R. Gonzales, Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave., NW  
Washington, DC 20530

RE: Washington Mutual Bank v. Dan W. Adams, et al  
United States District Court Docket No. 05-11686WGY

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Mary Ellen Manganelli

MEM/jw

Enclosures

cc: J. Patrick Kennedy, Esq.

305873.1

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District of \_\_\_\_\_  
Massachusetts

Washinton Mutual Bank,  
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## SUMMONS IN A CIVIL ACTION

V.

Dan W. Adams, Heidi K. Adams,  
United States of America,  
Commonwealth of Massachusetts  
Department of Revenue, Delta  
Funding Corporation and  
Beneficial Massachusetts Inc.,  
Defendants

CASE NUMBER:

05 11686 WGY

TO: (Name and address of Defendant)

United States of America

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

J. Patrick Kennedy, Esq.  
Bulkley, Richardson and Gelinas, LLP  
One Post Office Square, Suite 3700  
Boston, MA 02108

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SARAH A. THORNTON

AUG 16 2005

CLERK

DATE

(By) DEPUTY CLERK



**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

1400 1400 PB5550197

0010 00.00 AUG 18 2005  
 7514 MAIL FROM ZIP CODE 02109

Postage  
 Certified Fee  
 Return Receipt Fee  
 (Endorsement Required)  
 Restricted Delivery Fee  
 (Endorsement Required)  
 Total Postage & Fees \$

Postmark  
 Here

Sent To  
 Atty Gen. Alberto Gonzales  
 Street, Apt. No. or PO Box No.  
 City, State, ZIP+4  
 Washington, DC.

PS Form 3800, May 2000 See Reverse for Instructions



## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Attorney General Alberto  
 R. Gonzales  
 US Dept. of Justice  
 950 Pennsylvania Ave., NW  
 Washington, DC 20530

2. Article Number  
 (Transfer from service label)

7000 1670 0002 0531 6899

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-083

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 D. Patrick Mullarkey,  
~~Chief~~ Tax Dis.-North Dis.  
 PO Box 55 -Ben Franklin Station  
 Washington, DC 20044

2. Article Number  
 (Transfer from service label)

7000 1670 0002 0531 4882

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-0835

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Laron Williams*

☐ Agent  
☐ Addressee

B. Received by (Printed Name)

Laron Williams

C. Date of Delivery

8/27/05

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes